

STATE OF ILLINOIS

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COUNTY OF CHAMPAIGN

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I, **MARK SHELDEN**, County Clerk in and for the County of Champaign, Illinois, do hereby certify that the documents attached are true documentation from my said Office:

Given under my hand and seal of said Office this 27th day of April, A.D. 2006.

Mark Shelden

Mark Shelden, County Clerk

Sasha L. Green

Deputy County Clerk

OFFICIAL FILE

ILL. C. C. D. NO. 05 0667

Complaints 5

Witness

Date Reporter

ORDINANCE NO. 713

**AN ORDINANCE REGULATING TREE TRIMMING,
CUTTING, AND REMOVAL BY PUBLIC UTILITIES**

WHEREAS, the County of Champaign, State of Illinois is a body corporate and politic organized and existing under the Constitution and laws of the State of Illinois, and

WHEREAS, the County of Champaign is empowered to take all necessary measures to encourage the maintenance and planting of trees and the preservation of forests in accordance with the provisions of Chapter 55, Act 5, Section 5-1005(11) of the Illinois Compiled Statutes (2004), and

WHEREAS, for several years, differences of opinion have existed concerning the ability of public utilities to cut, trim, or remove trees from public utility easements over the objections of the owners of such trees, and

WHEREAS, the Champaign County Board finds that a significant number of trees and forested areas, constituting a significant portion of the trees and forested areas located within the County of Champaign, are located within such public utility easements, and

WHEREAS, the Champaign County Board finds that trees, bushes, and shrubs within such utility easements within Champaign County, and particularly those located within electrical utility easements, have knowingly and deliberately been cut, trimmed, or removed by such utilities in a manner which exceeds legitimate concerns for the delivery of services, particularly electricity, or for the safety of the persons and property of the public and of the utilities and their employees and agents, and

WHEREAS, the Champaign County Board has determined that excessive cutting or trimming of trees, bushes, and shrubs within such public utility easements adversely impacts the maintenance and preservation of trees and forests within Champaign County, and

WHEREAS, the Champaign County Board acknowledges the legitimate interest of public utilities in clearing vegetation within their easements within Champaign County in such a manner as to ensure uninterrupted utility service to customers within Champaign County and elsewhere and to ensure the safety of their employees, agents, and property and the safety of the public, and

WHEREAS, the Champaign County Board finds that the continued presence of mature trees, bushes, and shrubs is necessary for the preservation of the forests located within Champaign County and that the replacement of mature trees, bushes, and shrubs damaged or destroyed by excessive cutting or trimming with younger or replacement plants is not sufficient to preserve those forests, and

WHEREAS, the Champaign County Board finds that it is necessary to regulate the planting of trees within the public utility easements existing from time to time within the County of Champaign to avoid interference with the delivery of utility services to the residents of Champaign County and to prevent the creation of hazards to the persons and property of the residents of Champaign County and to the property and employees of public utilities, and

WHEREAS, the Champaign County Board passed Ordinance No. 564 on June 2, 1998, and

WHEREAS, since the passage of Champaign County Ordinance No. 564, certain concerns have been addressed to Champaign County by its residents and by utilities operating within Champaign County, and

WHEREAS, due to the aforementioned concerns of the residents of Champaign County and utilities operating therein, the Champaign County Board elects to enact this Ordinance and repeal Ordinance 564 as of the effective date of this Ordinance,

NOW, THEREFORE, BE IT ENACTED AND ORDAINED AS FOLLOWS:

Section One: It shall be unlawful to cut, trim, or remove any tree, bush, shrubbery, or any portion thereof within any public utility easement within the unincorporated areas of Champaign County except in accordance with the standards and requirements set forth herein. Nothing in this ordinance shall be deemed to prevent cutting, trimming, or removal of trees, bushes, or shrubbery by their owner(s). Furthermore, nothing in this ordinance shall prevent the landowner of a property from consenting to the immediate cutting, trimming, or removal of any trees, bushes, or shrubbery by a public utility, electric cooperative, or municipal utility. The landowner must give written consent on a document that details what cutting, trimming, or removal of trees, bushes, or shrubbery will be performed by the public utility, electric cooperative, or municipal utility for the consent from the landowner to be valid.

Section Two: Nothing in this ordinance shall be interpreted as requiring deviation from any applicable standards of OSHA regulating the manner in which trees may be trimmed in proximity to power lines or other utility fixtures or any state or federal safety regulations.

Section Three: Nothing in this ordinance shall be interpreted as preventing any public utility, electric cooperative, or municipal utility from trimming or removing trees, bushes, or shrubs or portions thereof for the purpose of restoring utility service which has been interrupted by such vegetation or portions thereof.

Section Four: No public utility, electric cooperative, or municipal utility shall remove, trim, or cut any tree, bush, or shrubbery or any portion thereof within its utility easement except to the extent necessary to prevent interruption of or interference with the delivery of utility services or to protect the persons and property of the residents of Champaign County or to protect the property and persons of the utility, its agents, and employees.

Section Five: In addition to the foregoing, the following clearance standards shall be observed and shall not be exceeded by any public utility, electric cooperative, or municipal utility in the cutting, trimming, or removal of trees, bushes, and shrubbery from their easements in relation to electric wires or lines:

TABLE OF MAXIMUM ELECTRIC LINE CLEARANCES (IN FEET)

Clearance	Up	601	5,001	Aerial Cable	Aerial cable	Aerial cable
Between Lines	to	to	to	2,400 to	12,501 to	Over
And Trees	600V	5,000V	12,500V	12,500V	50,000V	50,000
From Side(s)	2 ft.	4 ft.	6 ft.	4 ft.	10 ft.	(d)
Line Through Trees	1 ft.	2 ft.	3 ft.	2 ft. (a)	(b)	(b)
Growth Over Lines	2 ft.	4 ft.	8 ft.	6 ft.	(c)	(b)
Growth Under Lines	4 ft.	6 ft.	7 ft.	7 ft.	8 ft.	(d)

For interpretation of the foregoing table, the following shall apply:

- (a) Limbs over 2 inches in diameter which may sway into or otherwise contact lines may be trimmed or removed;
- (b) Not permitted;
- (c) All overhead growth should be kept to a minimum;
- (d) All trees, bushes, and shrubbery or portions thereof within 12 feet of the maximum sag or sway of the lines or wires at the point at which such are located may be removed; and
- (e) "V" refers to volts.

All trees located beside or adjacent to, rather than beneath, wires or lines shall be trimmed by rolling the top of the tree to the extent necessary to prevent the tree from falling into the lines or wires for three (3) years.

As electric wires and lines sag due to hot weather and other causes, and may swing sideways due to wind and other factors, the greatest sag and sway occurring at mid span, the above stated line clearances shall be measured from the maximum distances such lines will sag or sway at the place at which such trees, bushes, or shrubbery are located.

Section Six: All public utilities, electric cooperatives, or municipal utilities shall give no less than 21 days written notice and no more than 90 days written notice, of their intent to cut, trim, or remove any trees, bushes, or shrubbery within their utility easements within Champaign County to the owners of the property on which such trees, bushes, or shrubbery are located and to the County of Champaign, setting forth properties affected, the approximate number of